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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA, SOUTHERN DIVISION

10 MARISSA SKINNER, individually,
11 Plaintiff,

12 vs.

13 GEICO CASUALTY INSURANCE
14 COMPANY, individually; and DOES I
through X; and ROE CORPORATIONS I
15 through X, inclusive,
16 Defendants.

CASE NO.: 2:16-cv-00078-APG-NJK

STIPULATION AND ORDER TO EXTEND
TIME TO FILE DISPOSITIVE MOTIONS

(THIRD REQUEST)

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18 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective
19 counsel of record, hereby stipulate and request that this court extend the deadline for
20 dispositive motions. This is the third stipulation for extension of time to file motions. In
21 support of this Stipulation and Request, the parties state as follows:

- 22 1. On December 2, 2015, Plaintiff filed her Amended Complaint in State Court.
- 23 2. On December 11, 2015, Plaintiff served the Amended Complaint on the
- 24 Nevada Department of Business and Industry, Division of Insurance.
- 25 3. On January 13, 2016, Defendant removed the matter to this Court.
- 26 4. On January 13, 2016, Defendant Answered the Amended Complaint.
- 27 5. On February 8, 2016, the parties conducted an initial 26(f) conference.

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- 1 6. On February 10, 2016, the parties prepared and submitted a Stipulated
- 2 Discovery Plan and Scheduling Order (the "Order") for the Court's approval.
- 3 7. On February 11, 2016, the Court entered the Stipulated Order.
- 4 8. On February 22, 2016, Defendant served its Initial List of Witnesses and
- 5 Documents pursuant to FRCP 26.
- 6 9. On March 1, 2016, Defendant propounded written discovery upon Plaintiff.
- 7 10. On March 2, 2016, Defendant served its Initial List of Witnesses and
- 8 Documents pursuant to FRCP 26.
- 9 11. On March 16, 2016, Plaintiff propounded written discovery upon Defendant.
- 10 12. On April 5, 2016, Plaintiff responded to written discovery.
- 11 13. On April 15, 2016, Defendant took Plaintiff's deposition.
- 12 14. On April 25, 2016, Defendant responded to written discovery.
- 13 15. Both parties have served supplemental FRCP 26 disclosures
- 14 16. Defendant retained a records review and scheduled an FRCP 35
- 15 examination which took place on August 18, 2016.
- 16 17. The parties disclosed expert witnesses.
- 17 18. Discovery closed on December 16, 2016.
- 18 19. After discovery closed the parties met and conferred regarding a discovery
- 19 issue that arose after the close of discovery.
- 20 20. The parties agreed to re-open discovery for a period of 60 days to facilitate
- 21 resolution of the claims on the merits.
- 22 21. The parties entered a stipulated confidentiality agreement and protective
- 23 order and GEICO produced additional documents.
- 24 22. GEICO took the deposition of Plaintiff's expert, Paul Burkett, on March 31,
- 25 2017.
- 26 23. Plaintiff took the deposition of GEICO's 30(b)(6) representative on April 4,
- 27 2017.
- 28 24. Discovery closed on April 6, 2017.

1 DISCOVERY REMAINING

2 None.

3 ALL DISCOVERY HAS BEEN COMPLETED

4 Discovery has been completed. However, the parties request an extension of the
5 dispositive motion deadline in order to allow summary judgment motions to be prepared
6 and timely served. This request for an extension of time is not sought for any improper
7 purpose or other purpose of delay. Rather, it is sought by the parties solely for the
8 purpose of allowing sufficient time to prepare motions for summary judgment in the hopes
9 of minimizing the issues at trial.

10 This is the third request for extension of the time to file motions.¹ The parties
11 recognize that they are requesting an extension of a deadline inside of the twenty-one
12 (21) day period as set forth in LR 26-4. As such, the parties must show good cause for
13 the deadline.

14 Discovery closed on April 7, 2016. Both Plaintiff and Defendant intend on filing
15 dispositive motions. However, Plaintiff's counsel has had a family emergency that will not
16 enable Plaintiff's motion for summary judgment to be filed by the deadline. This was not
17 in the reasonable control of the parties. Additionally, both parties are awaiting deposition
18 transcript(s) which are necessary to properly support the motions. This extension request
19 is made in good faith, jointly by the parties, and not for the purposes of delay. Trial in this
20 matter has not yet been set. Moreover, since this request is a joint request, neither party
21 will be prejudiced.

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27 ¹ Because the parties re-opened discovery this if the first request for an extension of time
28 of the current deadline.

1 WHEREFORE, the parties respectfully request that this Court extend the
2 dispositive motion deadline, currently, May 5, 2017 by 28 days to June 2, 2017. This will
3 also move the deadline for the Joint Pretrial Order which will be 30 days after the decision
4 on dispositive motions.

5 DATED this 21st day of April, 2017.

DATED this 21st day of April, 2017.

6 LEWIS BRISBOIS BISGAARD & SMITH

CLARK MCCOURT

7
8 */s/ Priscilla L. O'Briant*

/s/ Lukas B. McCourt

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14 ORDER

15 IT IS SO ORDERED:

16 Dated April 24 _____, 2017.

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United States Magistrate Judge